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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,171	09/09/2003	Bruce Bokish	7000-287	3747
27820	7590	05/04/2005	EXAMINER	
WITHROW & TERRANOVA, P.L.L.C.			SMITH, CREIGHTON H	
P.O. BOX 1287			ART UNIT	
CARY, NC 27512			PAPER NUMBER	
			2645	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,171

Applicant(s)

BOKISH, BRUCE

Examiner

Creighton H Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 march '05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-19 and 21-34 is/are pending in the application.
- 4a) Of the above claim(s) 3 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,9-19,21 and 25-34 is/are rejected.
- 7) ☒ Claim(s) 5-7 and 22-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 9-19, 21, 25-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ljubicich (Publication #2004/0190707 or Vasa (Publication #2004/0198329 in view of Sakata Publication #2002/0138347).

Ljubicich discloses a method of delivering directory assistance information to a user of a wireless telephone. In [0019] Ljubicich discloses that an information system will deliver to a user requesting another's phone number, an access telephone number (e.g., an 800 -xxx-xxxx telephone number, or other generic telephone number). This is done to accommodate the requested party's desire to remain anonymous. Once the user has the access number, the user is able to be connected with a researched party through a directory assistance provider, without providing the user with the actual phone number of the researched party. The information is then transmitted to the user via SMS or WAP. Ljubicich's access number reads on applicant's "pointer" because both the "pointer" and Ljubicich's access number direct, or point, the user to another location where requested information is located.

Vasa also discloses a directory information system, [0004], that allows wireless initiated queries. In [0004] Vasa discloses that a mobile station originates a request that specifies a telephone number for which additional information is desired. After the request has been received, the network will access certain other databases and will

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return 1 or more data items that are associated with the telephone number. The mobile-initiated request may further specify the particular information desired for the phone number, and may specify the data formats in which the information should be returned by the network. For example, a mobile station might generate an SMS request that identifies a telephone number for which vCard formatted contain information is desired. In [0021] and [0022], Vasa discloses that the mobile station 12 may specify the message format that the network may return the information by, and it may include vCard. In [0022], Vasa discloses the features of vCard format, and may include email address and URL. The email address and URL are deemed to be "pointers" where the user can seek out further information. For claim 3, see Vasa's [0031]. For claim 12, see Ljubicich's abstract where he discloses, "[s]uch information may be transmitted to the user via a short message service or wireless application protocol.

Neither Vasa nor Ljubicich disclose that the "pointers", i.e., the access numbers of Ljubicich and email/URL addresses of Vasa, are then used by the terminal to access information. However, Sakata does disclose that once the portable personal terminal (20) receives a pointer from an RFID device (30), that the portable terminal will then send this pointer out over the Internet to an information provisioning apparatus (41). The information provisioning apparatus will then send the requested information back to the portable terminal. See Fig. 1. As shown in Fig. 5, Sakata sends the requested information from the RFID back to the terminal in the form of a URL address, which the terminal will use to send back out to the specified URL address to receive the information it is seeking. To have used Sakata's teaching of sending a pointer back to

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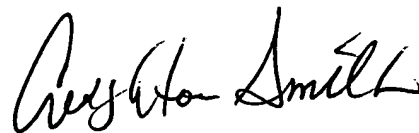
the requesting terminal instead of either Ljubicich's access number or Vasa's addresses that the user then will use to locate the information in either Ljubicich or Vasa's apparatus would have been obvious to a person having ordinary skill in the art because to substitute a pointer for an access number when one is requesting information would be within the purview of the skilled artisan with these references in front of her.

Regarding claims 9-21, Ljubicich discloses in the last sentence of his Abstract that the information requested may be transmitted to the user via SMS, WAP, email, paging, IM, or other communications.

Claims 5-7, & 22-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Creighton H Smith at telephone number 571/272-7546.

25 APR '05

A handwritten signature in black ink, appearing to read "Creighton H Smith". The signature is fluid and cursive, with the first name "Creighton" being more prominent than the last name "Smith".

Creighton H Smith
Primary Examiner
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